

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF SOUTH CAROLINA
3 FLORENCE DIVISION

4 CHERYL H. POWELL,

5 Plaintiff,

6 vs

Case No.: 4:08-cv-2482-RBH-TER

7 NAN YA PLASTICS AMERICA,

8 Defendant.

9 D E P O S I T I O N

10 WITNESS: ERIC STEVENSON

11 DATE: Thursday, April 16, 2009

12 TIME: 11:41 a.m.

13 LOCATION: Law Offices of
14 Cromer & Mabry
15 300 Candi Lane
Columbia, South Carolina

16 TAKEN BY: Attorneys for the Plaintiff

17 REPORTED BY: GINA M. SMITH
18 Certified Shorthand Reporter
Registered Professional Reporter

19 -----
20
21
22
23 Gina M. Smith, CSR, RPR
24 117 Harmon Creek Court
Lexington, SC 29072
25 803-359-5705

1 want to speak with her.

2 She came up. She said she wasn't
3 comfortable speaking to myself and Mr. Christian
4 Mann and that she wanted to have one other person,
5 Ms. Annie Tsai, join us. That's T-S-A-I. So I
6 asked Annie to join us, and I -- at that time, I
7 asked Ms. Powell to tell me about her concerns, and
8 she did.

9 Q. Was the conversation recorded with a
10 machine?

11 A. No.

~~12 Q. You did take notes?~~

13 A. Yes.

14 Q. If you would look at Bates stamp page 45
15 of Exhibit 2, and it goes over to 47. I've asked
16 that you -- it's three pages. I'm going to ask you
17 about a little bit on each page.

18 And first I'm going to ask you who
19 prepared this document, which is a three-page
20 document beginning at Bates stamp 45, goes through
21 47? It's titled memo of record, re Cheryl Powell.
22 Looks like it's February 22, '07.

23 A. That would have been prepared in part by
24 Mr. Christian Mann. Probably he did the
25 preparatory work and then I would have taken it and

1 A. I think it would be more -- in light of
2 the question that you're asking, it would be a more
3 appropriate statement if I had written it in light
4 of the fact that she had given her manager a
5 catalog.

6 Simply selling sex toys -- if I'm going to
7 look at the average people as I see it, as I think
8 that most people would see it, it's just something
9 that they would look at, but again, not as a
10 primary factor or even a very weighty factor, but
11 certainly it was one of the factors, yes.

12 Q. Did Mr. Page come to you after the

13 incident where he said that Ms. Powell was
14 insubordinate to him in the room with Brandy and
15 Ronnie Cox?

16 A. Mr. Page did come and speak with me, yes.

17 Q. To your knowledge, were you -- do you
18 believe you were the first person he spoke with
19 about it after it occurred?

20 A. That I don't know.

21 Q. Well, tell me what you recall him saying
22 to you.

23 A. He related that he walked into the POY II
24 field office and saw Ms. Powell and Mr. Cox at
25 Brandy Morris' desk, that they were talking, and he

1 told her to go back to work and she became very
2 argumentative, became very loud, that he was just
3 trying to get her to go back to work.

4 And then the conversation continued in the
5 office about two different issues. One was that
6 she had given him some incorrect paperwork. You
7 have two different sections that she provides the
8 service for, and she had given him somebody else's
9 paperwork to sign. And he told her this isn't
10 mine, and she argued with him about that. And then
11 when he said that he would be signing her
12 attendance record and her evaluation, she was

13 arguing with him about that. So those are the
14 things that he related to me had happened.

15 Q. And as a result of that, what action, if
16 any, did you take?

17 A. I subsequently spoke to the director of
18 the quality control department, Mr. Bruce Chen. In
19 our conversation, you know -- I can't honestly say
20 at this time whether I spoke to Mr. Jimmy Liu, who
21 happened to be in the office at the time, or
22 whether Bruce Chen had spoken to Mr. Jimmy Liu.
23 But I knew that Jimmy Liu was there and had made
24 the statement that it seemed very odd, why would
25 she be talking to her boss like that.

1 there's nothing you can do about it. We invited
2 Ms. Powell to come up, and it was shortly before
3 lunch by the time that this had happened.

4 She began arguing about the fact that she
5 had papers that she wanted to pick up from POY II
6 field office, which wasn't really relevant at all.
7 Even if she was waiting for papers, her boss told
8 her to go back and she continued to argue.

9 And it's not just the arguing, it was the
10 insubordinate manner in which it was done. That
11 coupled with the fact that she had just been
~~12 written up, she had been disciplined a couple of~~
13 times here recently over the past few months, and
14 the overall performance history that she had
15 confirmed the decision that we had to terminate
16 her.

17 Q. My question was: Did you interview
18 Ms. Powell before the decision to terminate her was
19 made?

20 A. No. When we had made our initial
21 assessment that this warrants termination, it was
22 based on the information given to us by Mr. Steve
23 Page and Mr. Jim Liu, who is a director -- project
24 director, I think his title is, working in the
25 plant manager's office. So he didn't work in the

Ms. Powell gave us the following account: *I cannot remember any of the specific comments made by various individuals but they said things like, "in order to get a promotion, you have to get on your knees." If someone asks where a person is, they might say, "go look under his supervisor's desk." These comments happen on a regular basis. I do not believe that Mr. Trammel knows about the comments because he typically stays in the QC I office. These comments were not directed at me. The comments have been made by Travis Hyman, Steve Page, Brent Cutright, Bob Parsons (Automation – Supervisor), Devin Baxley (Automation – Assistant Supervisor), Chris Chapman (QC Supervisor no longer with the Company) and Keith Seal (QC Supervisor no longer with the Company). The comments did make me feel uncomfortable at first, but I have gotten used to them. It is just their way of talking. I would join in and laugh when the comments were made.*

I did not mention my concerns to any of the members of management because I did not feel that I could talk to them about it. I did not report any of the comments to Personnel. I requested a transfer in the past because I felt uncomfortable and I do not want to be in that atmosphere. If the atmosphere improves, I will feel comfortable remaining in QC. I do not think that this constitutes sexual harassment, I just think it is unprofessional. When you talk to them, ask them to set an example of how an office environment should be, especially with a lady present.

We told her that we would look into it and get back to her.

Mr. Page confirmed that he could clearly remember when he and some others were engaged in some light banter that a certain coworker could be found under his supervisor's desk trying to get a promotion. He said that Ms. Powell got up from her desk and came over to the group and eagerly participated in the conversation.

We spoke to the others who were mentioned and asked them to make sure that they comported themselves in a professional manner. All of them averred that they did not mean to cause anyone to feel uncomfortable and that they would make sure they refrained from making unprofessional comments in the future.

On Tuesday, February 27, Ms. Powell and a mechanical technician used the company golf cart to go off to the edge of the woods to eat lunch. Because of a problem last year with people stealing company property, it raised some questions about what they were using the golf cart for. (There are suspicions that people used golf carts to throw things over the fence to be retrieved later.)

Mr. Steve Page called me on Wednesday, February 28, and informed me that Ms. Powell was five minutes late coming back from lunch. It was agreed that Ms. Powell should be subject to further disciplinary action.

Ms. Powell called me shortly later and asked me a series of questions. She asked about the minimum number of minutes that could be applied for when claiming overtime. I told her six minutes was one-tenth of an hour. She asked about our cell phone policy. I recited Rule # 47 from the Employee Handbook, "Bringing unauthorized reading material or electronic devices onto the plant site is prohibited; this includes, but is not limited to, pagers, cell phones..."

She proceeded to tell me that she was concerned because of rumors being spread about her having lunch out in the woods. After I explained the concerns that came up last year after someone was stealing company material she said that she understood why it looked bad. I told her that the golf carts were to be used for company business not for

EMPLOYEE HANDBOOK

NAN YA PLASTICS
CORPORATION,
AMERICA,
SOUTH CAROLINA
PLANT

EMPLOYEE
HANDBOOK

THIS HANDBOOK IS NOT A CONTRACT, DOES
NOT CHANGE ANY AT-WILL EMPLOYMENT RELA-
TIONSHIP AND IS SUBJECT TO THE FULL DIS-
CLAIMER ON PAGE 2.

Employee Signature

(Supersedes previous copies). Revised October, 2004

IMPORTANT NOTICE/DISCLAIMER



WHILE IT IS THE GOAL OF NAN YA PLASTICS CORPORATION, AMERICA, SOUTH CAROLINA PLANT, (HEREAFTER REFERRED TO AS "THE COMPANY"), TO PROVIDE BENEFICIAL EMPLOYEE GUIDELINES, THE COMPANY'S EMPLOYEE HANDBOOK IS DEPENDENT ON ECONOMIC AND OTHER CIRCUMSTANCES THAT CANNOT BE GUARANTEED.

THIS HANDBOOK SUPERCEDES ANY PREVIOUS HANDBOOK. THESE GUIDELINES ARE ADVISORY IN NATURE, CREATE NO CONTRACTUAL OBLIGATIONS ON THE PART OF THE COMPANY OR YOU, AND DO NOT ALTER THE AT-WILL RELATIONSHIP. THIS MEANS THAT YOU AND THE COMPANY HAVE THE RIGHT TO END THE EMPLOYMENT RELATIONSHIP AT ANY TIME AND FOR ANY REASON.

NO STATEMENT BY ANY EMPLOYEE, OFFICER, OR AGENT OF THE COMPANY CONTRARY TO THIS PARAGRAPH OR THIS HAND-

2 CONTENTS SUBJECT TO DISCLAIMER FOUND ON PAGES 2-3. NPCA, SC

EMPLOYEE HANDBOOK

BOOK SHALL HAVE ANY FORCE AND EFFECT UNLESS IT IS IN WRITING AND SIGNED BY THE PLANT MANAGER AND THE PERSONNEL MANAGER.

NEITHER THIS HANDBOOK, NOR ANY OTHER POLICY OR GUIDELINE, SINGLY OR COMBINED, SHOULD IN ANY WAY BE CONSTRUED AS AN EMPLOYMENT CONTRACT OR INTERPRETED AS A GUARANTEE OF INITIAL OR CONTINUED EMPLOYMENT. THE COMPANY RESERVES THE RIGHT TO AMEND, ALTER, OR MAKE EXCEPTIONS TO OR CHANGE POLICIES, PRACTICES, PROCEDURES, OR THIS HANDBOOK WITH OR WITHOUT NOTICE OR REVISION, BASED ON CHANGES IN THE BUSINESS ENVIRONMENT AND THE EVOLVING NEEDS OF THE COMPANY.

Printed Name and Employee ID Number

Employee Signature and Date

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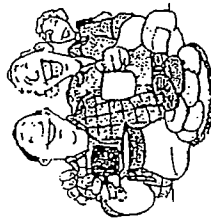
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WELCOME

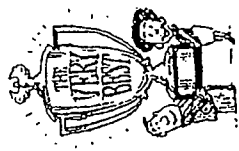


Welcome to Nan Ya Plastics. Our success is best explained by our reputation for producing high quality polyester products at competitive prices. Because our future depends upon profit, production must be handled as economically as possible, while still adhering to strict safety guidelines. Capable and dependable employees like you make this possible.

Everyone is expected to fully apply themselves to their work and cooperate with supervisors and co-workers. The success of our organization is dependent upon all of us working together as a team. Your Supervisor, the Company, and the team of people you work with are dedicated to giving you the support necessary for you to be successful.

This handbook is for your general information; it cannot and does not cover all situations. If you have any questions, please do not hesitate to ask for help. Your Supervisor, Management, Personnel, Safety, and the Plant

Manager's Office are ready to assist you. Again, welcome to the Nan Ya family. We hope you enjoy your career with the Company.



QUALITY POLICY

Nan Ya Plastics is committed to a quality management system that ensures total quality control over and continuous improvement of our products and product support. Management will provide quality objectives and resources needed to accomplish the tasks. With customer communication and review of objectives, our goal is to continually and efficiently provide the customer with the requested products and support at the highest level of quality.

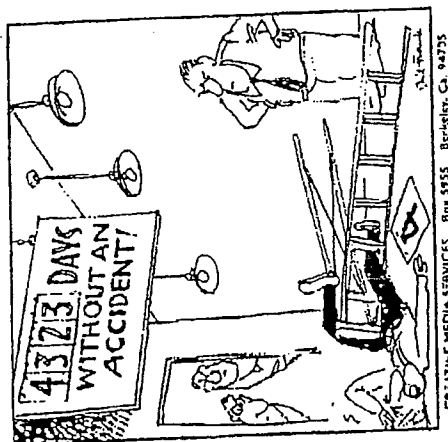
10 "S" MANAGEMENT



The Company has adopted some simple principles called 10 "S" to help us operate in a competitive fashion.

1. Seiri/Sort – Separate items as necessary and unnecessary, and eliminate the unnecessary.
2. Seiton/Systematize – Label the item and where it should be placed, including quantity.
3. Seiso/Shine – Assign areas for cleaning responsibilities, then keep things clean inside and outside.
4. Seiketsu/Sustain – Continue to find the roots of the problems to make the process easier.
5. Shitsuke/Self-Discipline – Make the process a natural habit.

6. Safety – Achieve the goal of zero injuries and zero accidents.
7. Speed – Develop efficiency through expertise and teamwork without sacrificing safety.
8. Specialty – Produce high quality goods at an economical price while delivering excellent customer service.
9. Service – Focus on anticipating and filling the needs of our customers internally and externally.
10. Savings – Diligently search for ways to enhance our value and reduce our costs in large and small ways at every level of the organization.



SAFETY

Your health and safety are important to you and your family. We also want you to be safe. We are committed to providing a safe place for you to work and safe equipment for you to work with.

All employees are required to follow Company safety rules and safe work practices. Safety is not a one-person job; employees are expected to do their part in preventing accidents. Be Alert; Ask Questions; Use Common Sense; and most important, Think Before Acting.

In order to provide a safe place for employees to work, it takes a concerted effort on the part of both the Company and all employees. Your Employee Handbook of Safety Rules and Procedures, issued during orientation, contains important information that will help to keep you safe on the job. When issued Personal Protective Equipment, (PPE), be sure you know its purpose and have been instructed in its safe use and care. It is your responsibility to use and maintain this equipment properly.

You should report any unsafe action and/or condition to your Supervisor and/or the Safety Department immediately. All incidents, accidents, and injuries, regardless of severity and whether or not medical attention is required, must be reported to your Immediate Supervisor and/or the Safety Department before leaving the plant site.

EQUAL EMPLOYMENT OPPORTUNITY

It is the goal of the Company to eliminate discrimination or harassment against any employee or applicant based on race, color, religion, sex, national origin, age or disability.



DISCRIMINATION AND HARASSMENT

Discrimination and harassment, including racial, national origin, religious, disability, age and sexual harassment, are strictly prohibited.

Sexual harassment may consist of sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature that a reasonable individual would find to be coercive or offensive. This prohibition against sexual harassment applies equally to co-workers and supervisory personnel.

We expect all employees to conduct themselves professionally, and to treat others with respect and dignity. Mutual respect fosters the teamwork that is essential to our success in a competitive market.

EMPLOYEE HANDBOOK

If you feel you are subject to discrimination or harassment, you should take proactive steps to eliminate or minimize the situation by telling the other person that the conduct is unwelcome and asking the other person to stop. You should also try to avoid the situation as much as possible and promptly report the situation as warranted.

Employee complaints about harassment should be made to the Personnel Manager or to the Plant Manager. All such complaints should receive the immediate attention of the individual receiving them. If an investigation reveals that the complaint is valid, appropriate action will be taken. No employee will be retaliated against for reporting good faith concerns.

Due to the sensitive nature of harassment, all complaints will be investigated with particular care and will remain, to the extent possible, confidential.

BUSINESS ETHICS

Our reputation depends upon maintaining high standards of conduct in all of our business transactions. Employees at every level should operate lawfully and avoid situations that are compromising or that may lead to a conflict of interest, even to the extent of avoiding the appearance of a conflict of interest. The Business Ethics Policy is the guiding document in this area. Any concerns or questions may be directed to Personnel or the Plant Manager's Office.



TEAMWORK

Teamwork is essential to the success of the Company. Common courtesy starts with all the rules we learned as children: share, take turns, play nice etc. As you work with others on your team or interact with employees from



different areas, always remember that we are all on the same team. We hope that all employees enjoy being on the Nan Ya team and that team pride is demonstrated by keeping work areas, break areas and facilities clean and neat.



ACTIVITIES

The Company recognizes that employees need work-life balance. The Activities Committee sponsors several activities each year such as picnics, sports, parties, etc. If you would like to serve on the Committee or volunteer to help with events that interest you, please contact a member of the Activities Committee.

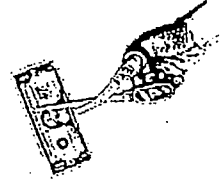
DIRECT DEPOSIT



Employees are encouraged to have their pay electronically deposited into the financial institution of their choice. This pay option benefits the Company and provides employees with greater security and added convenience. Employees wishing to take advantage of this great benefit should forward a completed enrollment form to Personnel.

PAYROLL DEDUCTIONS

Social Security & Medicare (FICA), and federal and state taxes are standard deductions withheld from each employee's paycheck. Other deductions require at least the passive consent of the employee unless so ordered by the courts or the Internal Revenue Service. If money is owed to the Company, the Company may withhold that amount from the employee's paycheck.



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PAY PROCEDURE



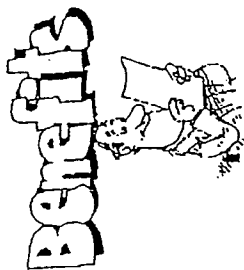
The Company has established rates of pay that are considered to be competitive to the area. Payroll checks are issued from Personnel every two weeks for hourly employees and twice a month for salaried employees. The regular payday for hourly employees is Thursday; this will cover the previous two (2) workweeks, (a workweek begins Sunday at 8:00 A.M. and ends the following Sunday at 8:00 A.M.).

Checks will only be issued to the individual employee or Department representative. You may give prior notification to Personnel in writing if you want another person to pick up your check. Proper identification must be given.

Should an error occur on your paycheck, notify Personnel by completing and submitting a Wage Reconciliation form as soon as possible. The error will typically be corrected on the next scheduled paychecks.

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BENEFITS



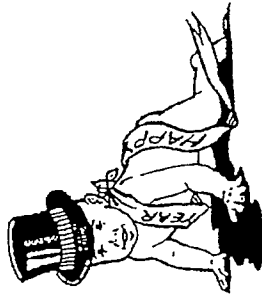
The Company provides a generous benefit package for all regular, full-time employees. A brief list of some of the benefits that we provide as of the date this book was printed include Family Medical & Dental Insurance, 401 (k) Plan, Pension Plan, Short-Term and Long-Term Disability, Life Insurance, Holidays, Vacation, Funeral Leave, and Jury Leave.

The terms and conditions of any benefit are subject to change. The terms of the 401 (k) Plan and the Pension Plan may be found in the respective Summary Plan Descriptions. The terms of the Medical, Dental, Life, and Long-Term Disability Insurance Plans may be found in the policies promulgated by the respective insurance companies. The terms of other benefits including Short-Term Disability, Holidays, Vacation, Funeral Leave, and Jury Leave are governed by Company policy.

The Company reserves the right to unilaterally modify, terminate, change, or otherwise alter employee benefits as it, in its sole discretion, deems necessary.

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HOLIDAYS



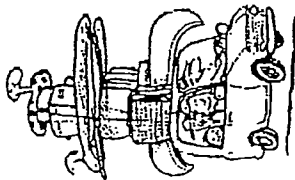
The Company provides paid holidays to all regular, full-time employees in accordance with the schedule that is issued each year. Employees should work the full scheduled workday before and after the holiday, as well as the actual holiday if scheduled to work on the holiday. Missing time before, after, or on the holiday may result in a loss of holiday allowance.

Holidays falling on a Saturday are normally observed on the preceding Friday and those falling on a Sunday are normally observed on the following Monday for administrative employees. The holiday will generally be observed on the actual day on which it falls for those employees working a rotating shift.

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VACATION

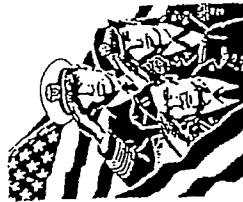
New employees must satisfactorily complete their three-month probationary period before being eligible for paid vacation, and all scheduled vacation time should be taken by December 31 of each calendar year.



To ensure the operating needs of departments are met, vacation should be scheduled in advance. Usually in the first week of December, vacation will be scheduled for the following year. The immediate Supervisor and Manager must approve vacation. Where conflicts occur, the Department may consider granting preference to the employee having more seniority. After vacation schedules are set they can be changed with proper approval, but it should not be at the expense of the Company's operating schedule or of someone else's scheduled vacation. If a conflict occurs when rescheduling vacation time, the vacation scheduled first normally takes precedence.

EMPLOYEE HANDBOOK

If an employee does not take scheduled vacation as approved in the original vacation plan, the employee should promptly reschedule vacation for another available day during the calendar year. If an employee is transferred to a different area, the employee should coordinate vacation plans with the management in the new area.



MILITARY LEAVE

The Company supports employees who serve in the United States Armed Forces. Employees taking military leave are requested to notify their supervisors as far in advance as possible of any scheduled leave and to present their military orders to their supervisor or to Personnel on receipt. The Company will grant military leave in strict accordance with federal and state law.

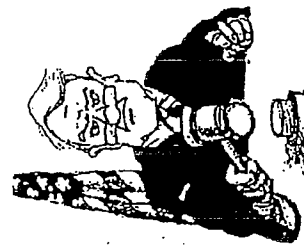
FUNERAL LEAVE

Regular full-time employees will be given twenty-four working hours of leave with pay for the death of the employee's grandchildren, grandparents, parents, spouse, children, brothers or sisters, father-in-law or mother-in-law and eight hours leave with pay for the death of the spouse's grandparents, brothers and sisters. Upon return to work, proper paperwork must be submitted to ensure timely reimbursement for days missed.



JURY DUTY

To help employees avoid a monetary loss when meeting their civic obligations, regular, full-time employees will be paid their normal base wages less any jury duty pay received, (maximum two weeks paid per year). If employees are called for jury duty, it is their responsibility to bring their summons to the attention of management as soon as possible.



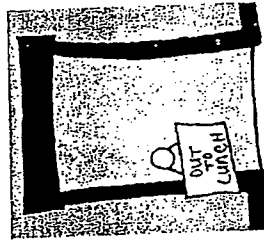
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EMPLOYEE HANDBOOK

If an employee is released from jury duty and can reasonably return to work for at least one hour before the shift ends, then that employee should return and work the rest of the shift. Documentation should be submitted to the Personnel office as soon as possible showing proof of time served as a juror and amount paid.

BREAK AND LUNCH PERIODS

Employees that work a regular 8-hour shift are scheduled to have two ten-minute breaks, (10:00 A.M. and 3:00 P.M.), and one lunch break between 12:00 P.M. and 1:00 P.M. Lunch time for shift employees is 20 minutes maximum per person (1 time per shift), break time is 10 minutes maximum per person (2 times per shift); a relief will be needed at the work station when the employee is on break. Shift employees are not allowed to leave the plant during breaks. Any deviation from the normal break schedule will be based on the needs of the Company and must be approved in advance by the immediate supervisor.



ATTENDANCE

Regular attendance is important to our overall operation. When an employee is late or absent, it is costly to the Company and inconvenient for co-workers.



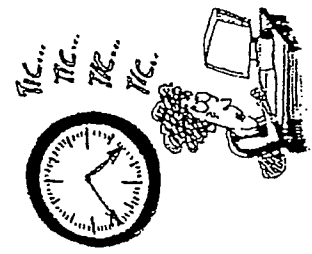
You are expected to report to your workstation on time each scheduled day of work including scheduled overtime. Should a situation arise where you cannot report as required, you are responsible for notifying your Supervisor as soon as possible, no later than one hour before your scheduled reporting time. Therefore, it is critical that you have and maintain the correct contact numbers for your Supervisor and work area. It is your responsibility to contact your Supervisor directly anytime you will miss work.

The Company has not chosen to adopt a point system for absenteeism; rather, each individual's situation will be reviewed to determine if absenteeism or tardiness is excessive. If an employee misses more than 56 hours of sick and/or personal leave, Personnel will conduct an administrative review with the department. This review is not disciplinary in nature, nor does it indicate an employee's entitlement to 56 hours of absenteeism. It is merely an administrative procedure.

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EMPLOYEE HANDBOOK

Should employees fail to maintain satisfactory attendance, the value of their service could be diminished and they may be subject to corrective action, up to and including termination.

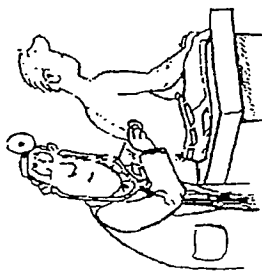


HOURS OF WORK

This facility is a continuous operation that runs 24 hours a day, seven days a week. Employees scheduled to work in the production area are generally required to work 12-hour rotating shifts, while administrative employees are generally required to work 8 hours per day, Monday through Friday. Your supervisor will discuss work schedules, as they pertain to you, in detail. Employees working in the production area are responsible for remaining on the job, in their respective areas, until proper relief is made, even if the normal shift is over. You are responsible for notifying your Supervisor of any time you are to leave your workstation or if you are to leave the plant premises.

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SICK LEAVE



Employees will be required to provide an excuse from a licensed practicing physician for absence due to illness/injury lasting two (2) working days or longer. Employee will be required to have a physician's release for absence due to illness/injury lasting three (3) working days or longer before they will be allowed to return to work. Any release with restrictions or limitations must be coordinated with the Safety Department before the employee returns to work.

Abuse or excessive use of sick leave will not be tolerated and may be cause for disciplinary action up to and including termination. The Company reserves the right to require employees to submit to a physical exam or testing to ensure that employees are fit for duty.

FAMILY LEAVE



In accordance with the Family and Medical Leave Act, (FMLA), employees with one year of service are generally eligible to take up to twelve weeks of unpaid leave in a rolling twelve month period to care for a newborn, adopted, or foster child, or to care for a child, spouse, or parent with a serious health condition, or for their own serious health condition. Requests for Family Leave must be made at least 30 days in advance when possible. Employees wishing to take Family Leave are required to contact Personnel directly to coordinate the leave and to discuss restrictions and eligibility requirements.

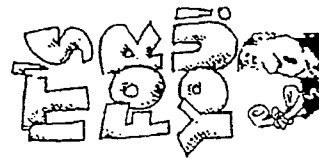
OVERTIME



Occasions may arise when you will be required to work overtime with or without notice; working overtime is a part of your job responsibilities. The Company will try to give you as much advance notice as possible depending upon the situation causing the overtime. Generally, employees should not work more than sixteen hours at one time. All overtime should receive proper approval before it is worked.

ON CALL

All employees are subject to being called in to work to meet the urgent needs of the Company. Additionally, based on the operational requirements of the work area, employees may be assigned to remain on call during their normal off-duty time.



TIME CLOCK

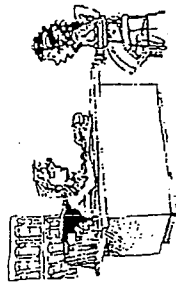


In order to calculate payroll in a correct and timely manner, all hourly employees are required to use the time clocks located at the main gates. Employees must clock in at the beginning of work and out upon completion of work (this includes overtime hours). Failure to do so could result in corrective action, as well as a delay or loss of pay for those hours of work.

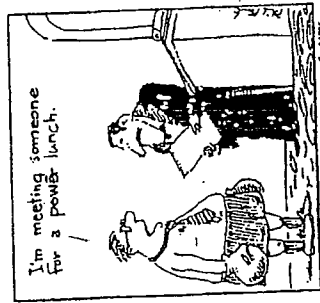
Employees should not clock in more than 15 minutes before the beginning of scheduled work. Should your badge become lost or damaged, please report it to Safety immediately so a new badge can be issued. If you are required to work before a new badge can be issued, request a Manual Time Card from the Guard at the gate.

JOB BIDDING

Hourly jobs that are not filled within the Department will generally be posted at the main gates. Hourly employees who are interested in transferring to another job may bid on open positions in accordance with the



Job Bidding Guideline.



DRESS CODE

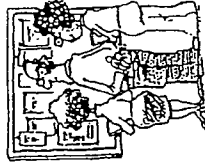
The Company requires each employee to dress appropriately for the work place. Special requirements may be set for safety reasons or for other business reasons. Please contact your Supervisor for the requirements in your area.



PERSONNEL RECORDS

It is imperative that all files are maintained with up-to-date information. You are responsible for ensuring

that the correct information is provided to Personnel (this includes any changes of address, telephone number, marital status, dependents, etc.) All Company records relating to your employment are Company property.



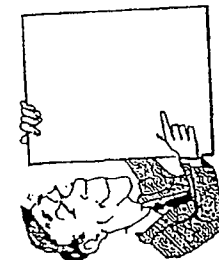
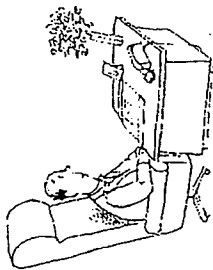
BULLETIN BOARDS

The Company has several bulletin boards located throughout the plant. These are considered Company property and therefore posting of any kind, without written permission is prohibited. Unauthorized posting in other areas of the plant is prohibited.

Bulletin boards are reserved for official Company business. No personal notices of any kind, such as items for sale, raffles, fundraisers, meetings, etc. should be posted.

OPEN-DOOR POLICY

The Personnel, Safety, and Plant Manager offices maintain an open-door policy. Most issues that concern you can and should be addressed within your Section and Department; your immediate Supervisor can handle many issues. If an issue arises which is more appropriately handled by a different Department, you are welcome to meet with a member of Personnel, Safety, or the Plant Manager's office. We encourage you to arrange an appointment in advance when possible so that we may better address your concerns without the distraction of prior commitments.



NO SOLICITATION/ DISTRIBUTION

Solicitation and distribution by non-employees on Company property is prohibited at all times. Beulah Road is Company property.

Solicitation by employees during working time is prohibited. Solicitation is prohibited if either the solicitor or

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person being solicited is on working time. Working time includes those periods when an employee is performing assigned job duties and does not include free time, such as break periods, meal times or before and after shift. Distribution of literature by employees is prohibited during working time, as defined above. Distribution by employees is also prohibited in working areas at all times.



SMOKING POLICY

There are designated smoking areas throughout the plant that are equipped with flameless lighters. All other areas are non-smoking areas. Employees are not to bring any matches or lighters onto the plant site.

Failure to abide by the no-smoking signs or smoking outside of a designated area, is unsafe and is against Company policy and will subject employees to disciplinary action up to, and including, termination.



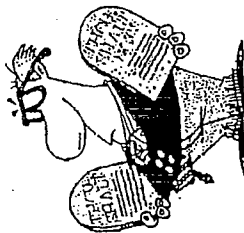
SUBSTANCE ABUSE

It is expected that all employees reporting to work will be physically and mentally fit for duty. The welfare of our employees and the success of the Company are dependent upon it. Reporting to work under the influence of, or in the possession of, any unauthorized/illegal drugs and/or alcohol, is strictly prohibited. The sale of any unauthorized/illegal drugs and/or alcohol on Company property, or while conducting Company business, is also strictly prohibited. Employees taking prescription or over-the-counter medication that may interfere with their ability to perform their duties should receive approval from Safety prior to reporting for work.

Additionally, the Company reserves the right to establish policies/procedures to ensure effective enforcement including random testing and testing for cause. Further, the Company reserves the right to require employees to submit to a physical exam or testing, as explained in the drug and alcohol policy. An employee's failure to follow any guidelines set now, or in the future, will make them subject to disciplinary action.

The Company does provide benefits for employees with substance abuse problems who have been employed over one year and voluntarily seek rehabilitation as explained in the drug and alcohol policy. Questions concerning these benefits should be directed to Personnel. Employees wishing to utilize these benefits should contact Personnel directly to obtain additional information.

RULES AND REGULATIONS



1. Ignoring or disregarding safety regulations or safe operating procedures is prohibited.
2. Employees are required to wear all assigned Personal Protective Equipment (PPE).
3. Employees are to report any accident/incident, regardless of how minor, to their immediate Supervisor and/or the Safety Department before leaving the plant site.
4. Employees are required to report any unsafe action and/or condition to their Supervisor immediately.
5. Employees are required to keep their work areas clean and free from safety hazards.
6. Employees are required to submit to searches of vehicles, lunch boxes, packages, etc., when either entering or leaving the premises.
7. The Company reserves the right to search all areas of the plant including persons, lockers and desks.
8. Violence, attempted violence, fighting, threats or threatening behavior are prohibited.
9. Intimidation or coercion of other employees is prohibited.
10. The possession of firearms, explosives and/or other weapons on Company property/premises is prohibited.

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EMPLOYEE HANDBOOK

11. Concealed weapons are prohibited even if an individual has a license to carry a concealed weapon.
12. The unauthorized possession and/or use of alcohol/intoxicants or illegal drugs/narcotics, or being under the influence, while on Company property/premises or while performing Company business, is prohibited.
13. Failure to successfully pass a drug test is grounds for termination.
14. Smoking in non-smoking areas is prohibited.
15. Employees are prohibited from bringing matches or lighters onto the plant site.
16. The commission of any act, on or off Company property, which constitutes a felony or offense of moral turpitude is prohibited.
17. Unlawful discrimination or harassment is prohibited.
18. Stealing or willfully damaging property belonging to other employees or the Company is prohibited.
19. Falsification of employee records, work records, or any other Company records is prohibited.
20. Employees are required to give their full cooperation during investigations into matters that affect the Company.
21. Making false statements may subject employees to disciplinary action.
22. Sleeping or dozing while on duty is prohibited.
23. Employees are expected to be at their assigned work area at the time that their work is scheduled to start, including assigned overtime.

(Supersedes previous copies). Revised October, 2004

24. All employees are obligated to fulfill overtime assignments and are subject to the same rules and regulations as those applied during regular work hours.
25. Employees are to give proper notification, to their Supervisor directly, when unable to report to work in a timely manner for any reason.
26. Excessive, unapproved, or unexcused absences or tardiness will not be tolerated.
27. Improper use or abuse of any leave policy is prohibited.
28. Failure to return from a leave of absence, or being away from work for 3 consecutive working days without notification, will be considered voluntary resignation.
29. Unexcused absence for 3 consecutive working days is grounds for termination.
30. An employee who misses two consecutive days of absence or three days of total absence during a probation period may be subject to termination.
31. Probationary employees may be subject to added scrutiny and summary discipline. The successful completion of a probation period does not change the at-will employment status of any person.
32. Leaving the plant premises during working hours without permission is prohibited.
33. Employees are not allowed to leave their assigned work areas without permission.
34. Shift employees are not allowed to leave their work area until proper relief is made.

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EMPLOYEE HANDBOOK

35. Loafing or unauthorized visiting to other areas is prohibited.
36. Loitering on plant property/premises is prohibited.
37. Employees must comply with all work instructions given by the Supervisor or other management personnel.
38. Insubordination and confrontational conduct are prohibited.
39. Inflammatory statements or writing of slogans is prohibited.
40. Defacing Company property, including writing of any kind, is prohibited.
41. Tampering with equipment or production processes is prohibited.
42. Defective work, negligence, or carelessness in the performance of work is prohibited.
43. The use of profanity, abusive language, or obscene gestures is prohibited.
44. Gambling, placing or soliciting bets, or horseplay, on Company property is prohibited.
45. Playing cards or other games while on duty is prohibited.
46. Doing personal work, reading newspapers, magazines, or books not related to the job while on duty is prohibited.
47. Bringing unauthorized reading material or electronic devices onto the plant site is prohibited; this includes, but is not limited to, pagers, cell phones, PDA's, computers, recording devices, etc.

(Supersedes previous copies). Revised October, 2004

48. Making a recording of another employee without consent is prohibited.
49. Unauthorized use or misuse of electronic media or communication equipment (excessive phone use, Internet pornography, etc.) is prohibited.
50. The Company reserves the right to monitor all electronic media and communication, therefore no employee should expect any right to privacy when using Company electronic media including phones and computers etc.
51. Immoral or lewd conduct while on plant property is prohibited.
52. Clothing or attire that is indecent, or that contains messages or portrays images that are obscene, offensive, or disrespectful is prohibited.
53. Admission of any person into the plant without proper authorization is prohibited.
54. Photographing on plant property without prior approval of the Plant Manager is prohibited. (Unauthorized cameras of any kind are prohibited).
55. Employees are directed to obtain approval before accepting either full-time or part-time employment with any other organization.
56. No one shall conduct any business in the name of the Company unless they are authorized to do so.
57. All employees of the Company shall be prohibited from having any financial or personally related interest in firms or service organizations with which the Company has commercial or contractual relations.

40. CONTENTS SUBJECT TO DISCLAIMER FOUND ON PAGES 2-3. NPCA, SC

58. No one in the employ of the Company is permitted to have a conflict of interest between their personal objectives and those of the Company.
59. Conducting personal business or performing personal work on Company time is prohibited.
60. Violation of the Company's no solicitation/distribution policy is prohibited.
61. Employees are not allowed to remove drawings, prints, or other written records from Company premises without proper authorization.
62. Employees are not allowed to take or remove tools, supplies, or any other equipment belonging to the Company or other employees without prior approval.
63. Employees are prohibited from releasing any confidential information concerning Company production processes, business affairs or other relative information during their employment or after the end of their employment.
64. Repetition or accumulation of infractions, or other irregularities will not be tolerated.

THESE GUIDELINES ARE NOT
ALL INCLUSIVE AND UNDER CERTAIN CIRCUMSTANCES, CORRECTIVE ACTION MAY BE TAKEN FOR ACTS NOT LISTED.

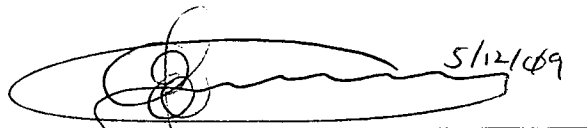
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SIGNATURE OF DEPONENT

I, the undersigned, ERIC STEVENSON, have read the foregoing deposition consisting of 26 pages which was reported by Gina M. Smith, Notary Public in and for the State of South Carolina on April 16, 2009.

I find the transcript of this deposition to be a true and accurate transcript according to my testimony on that date with the exception of the corrections as listed on the attached correction sheet, which was filled in by me.


ERIC STEVENSON
May 12, 2009